



**U.S. Department of Justice
U.S. Attorney's Office
Western District of Texas**

Johnny Sutton, U.S. Attorney

FOR IMMEDIATE RELEASE

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July 17, 2007

ILLEGAL ALIEN CHARGED WITH ASSAULTING A BORDER PATROL AGENT

United States Attorney Johnny Sutton announced that a criminal complaint was filed this morning against 23-year-old Francisco Marquez-Fernandez for assaulting a U.S. Border Patrol agent near Midland.

The criminal complaint states that at approximately 7:30am on July 13, 2007, Border Patrol agent Kelley Helms initiated a registration-check stop of two vehicles—both containing a large number of passengers—near County Road 300 and Highway 349. Approximately 12 people leapt from the two vehicles and fled the scene. Agent Helms identified himself and ordered the vehicle occupants to stop. They all failed to comply. Agent Helms subsequently confronted the defendant. After ignoring several calls by Agent Helms to surrender, the defendant charged at Agent Helms and a physical altercation ensued. During the altercation, the defendant tried to grab the agent's gun belt and holster. Ultimately, Agent Helms was able to restrain the defendant.

Upon conviction, Marquez-Fernandez faces up to 8 years in federal prison and a maximum \$250,000 fine.

This case was investigated by the Federal Bureau of Investigation, United States Border Patrol and the Upton County Sheriff's Department. Assistant United States Attorney John Klassen is prosecuting this case for the government.

A complaint is a formal accusation of criminal conduct, not evidence of guilt. The defendant is presumed innocent unless and until convicted by a court of law.

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